

Decision No. 1609/99

IN THE MATTER

of the Sale of Liquor Act 1989

AND

IN THE MATTER

of an application by EWALD BOSS AND MARY BOSS trading in partnership for an on-licence pursuant to s.7 of the Act in respect of premises situated at 410 Titirangi Road, Titirangi, Waitakere City known as "Café Boss"

BEFORE THE LIQUOR LICENSING AUTHORITY

Chairman: District Court Judge J P Gatley

Members: Mr R J S Munro

Mr J W Thompson

DECISION

This is an application by Ewald Boss and Mary Boss, trading in partnership for an on-licence in respect of premises situated at 410 Titirangi Road, Titirangi, Waitakere City, known as "Café Boss". The general nature of the business to be undertaken will be that of a restaurant.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly we deal with the matter on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.13 of the Act and we grant the applicant an on-licence authorising the sale and supply of liquor, for consumption on the premises, to any person who is present on the premises for the purpose of dining.

The licence will not issue until the Authority has received confirmation from the District Licensing Agency that all relevant clearances have been obtained. The applicant is not entitled to sell liquor until the licence issues. Unlicensed sales can result in imprisonment for up to three months or a fine of \$20,000 (ss.114(2), 151 and 152 of the Act refer).

The applicant's attention is drawn to s.25 of the Act obliging the holder of an on-licence to display:-

A sign attached to the exterior of the premises, so as to be easily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of liquor AND



2. A copy of the licence, and of the conditions of the licence, attached to the interior of the premises so as to be easily read by persons entering through each principal entrance.

The entrance from Titirangi Road is designated as the principal entrance.

The licence will be subject to the following conditions:


- (a) The licensee shall have available for consumption on the premises, at all times when the premises are open for the sale of liquor, a reasonable range of non-alcoholic refreshments:
- (b) Liquor may be sold only on the following days and during the following hours:

Monday to Sunday 7.00 am to 12.00 midnight
- (c) Food shall be available for consumption on the premises at all times when the premises are open for the sale of liquor in accordance with the menu submitted with the application for a licence or variations of that menu of similar range and standard.

THE LICENSED PREMISES

In terms of Reg. 7 of the Sale of Liquor Regulations 1990 the sale or supply or consumption of liquor is authorised in the premises generally including the outdoor dining area as authorised by Waitakere City Council. The premises, located at 410 Titirangi Road, Titirangi, Waitakere City are more precisely identified in a plan date stamped as received by the Liquor Licensing Authority on 26 July 1999.

DATED at WELLINGTON this 27th day of August 1999


E VERBITY
~~R Barber~~
 Deputy Secretary

